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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,140	03/16/2000	Harald Berger	P00,0458	2029

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STAAS & HALSEY LLP
700 11TH STREET, NW
SUITE 500
WASHINGTON, DC 20001

EXAMINER

EMDADI, KAMRAN

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 06/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/527,140

Applicant(s)

BERGER ET AL.

Examiner

Kamran Emdadi

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because the elements contained in the claimed invention are not depicted in the drawings in such a way to provide the necessary details for the examiner to understand the claimed invention, also the descriptive legend provided is in a foreign language and cannot be interpreted further for examination by the examiner. Proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-5, 7 and 8, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.
- Regarding claim 1, the insert unit has the following description in the specification:

“For controlling and initializing general procedures, the switching device I has an operating unit 2 that, as operating technology, coordinates, for example, the

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allocation of the various subscriber interfaces in the insert unit 4, implements an initialization of the various blocks, serves for input and programming, and also implements a central administration of general data such as, for example, date and time of day.”

The insert unit is not described in such a way for the examiner to understand its functionality, and the various blocks is not understood in any detail by the specification.

The principal subscriber control, has the following description in the specification:

“According to Figure 2, the principal subscriber control is composed of a principal line process unit (LTG process) 12C, a principal connection process unit (VEB process) 14C, a principal terminal device process unit (END process) 11 C, and a principal key converter process unit (TAK process) 15.”

None of these components mentioned help to decipher the functionality of the claimed principal subscriber control device, especially the principal line process unit, the principal connection process unit, and the principal key converter process unit as all three of them are only mentioned in the above citation and nowhere else outside of the claims. For at least these reasons claim 1 and the subsequent dependent claims are rejected, examiner urges the applicant to look for other terminology not defined by the specification and or the drawings that is inconsistent with the claim language:

- Regarding claims 7 and 8, the functional messages and the logical messages are unclear in the specification as to the differences between the two as both are described by the specification as having a key pushed as a type of message sent

but the difference between two examples of key depressions is not understood by the examiner as a basis for a differentiating characteristic.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
6. Claims 1-5, 6 and 9, are rejected under 35 U.S.C. 102(e) as being anticipated by Melin (US Patent No. 6151492).

- Regarding claims 1-5, Melin teaches: a switching unit that connects mobile terminals to a PBX system (Figures 3 and 4), where a control unit in the PBX is represented by CPU_k and is in the PBX_k of the PBX unit and is responsible for handling the incoming calls switching (Col 9, lines 55-61) and (Figure 6).

- Regarding claims 6 and 9, Melin teaches: all of the above embodiments and parallel connections for the subscribers (Col 9, lines 1-12).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - Angle et al. (US Patent No. 6366771) Wireless communication with PBX.
 - Swartz et al. (US Patent No. 6330244) Wireless LAN and PBX communication.
 - Verdonk (US Patent No. 6256512) Mobile access to a PBX.
 - Eriksson (US Patent No. 6141562) Wireless and PBX communications.
 - Korpi et al. (US Patent No. 5898924) Wireless and PBX communications.
 - Harrison et al. (US Patent No. 5796727) WAN/LAN/PSTN.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamran Emdadi whose telephone number is (703) 305-4899. The examiner can normally be reached between the hours of 8am and 5pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached at (703) 305-4366. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314 for regular communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

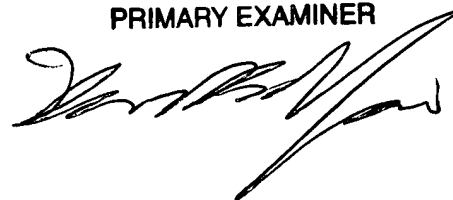
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Kamran Emdadi

05/28/2003

KWANG BIN YAO
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Kwang Bin Yao', written over the printed name and title.